

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DARRELL S. PERRY, et al., )  
Plaintiff, ) 8:04cv433  
vs. ) MEMORANDUM AND ORDER  
DOUGLAS COUNTY, et al., )  
Defendants. )

In an Order dated March 14, 2006 (filing no. 50), the court gave each plaintiff a deadline of March 27, 2006 to file a Response to Order to Show Cause in writing stating why this case should not be dismissed as to him, without prejudice, for lack of prosecution.<sup>1</sup> The plaintiffs were warned in filing no. 50 that, in the absence of a timely and sufficient response, this case could be subject, without further notice, to dismissal without prejudice as abandoned.

There has been no response by any plaintiff, and the deadline has expired. Therefore, as it appears that this case has been abandoned by all plaintiffs, the complaint and the above-entitled action are dismissed without prejudice. A separate judgment will be entered accordingly.

SO ORDERED.

DATED this 30<sup>th</sup> day of March, 2006.

BY THE COURT:

s/Joseph F. Bataillon  
JOSEPH F. BATAILLON  
Chief District Judge

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<sup>1</sup>See NECivR 41.1, which states in pertinent part: "At any time when it appears that any action is not being prosecuted with reasonable diligence the court may dismiss it for lack of prosecution."